

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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McCONNELL DORCE, CECELIA JONES, and  
SHERLIVIA THOMAS-MURCHISON,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

CITY OF NEW YORK, LOUISE CARROLL  
(Commissioner of the New York City Department  
of Housing Preservation and Development),  
SHERIF SOLIMAN (Commissioner of the New  
York City Department of Finance),  
NEIGHBORHOOD RESTORE HOUSING  
DEVELOPMENT FUND CORP., and BSDC  
KINGS COVENANT HOUSING  
DEVELOPMENT FUND COMPANY, INC.,

Defendants,

-and-

585 NOSTRAND AVENUE HOUSING  
DEVELOPMENT FUND CORPORATION and 248  
MADISON STREET HOUSING DEVELOPMENT  
FUND CORPORATION,

Nominal Defendants.

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Civil Action No. 1:19-cv-02216-JLR

**NOTICE OF PUTATIVE ROUND 10 CLASS'S MOTION FOR  
SUMMARY JUDGMENT ON TAKINGS CLAIMS**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law in Support of Putative Round 10 Class's Motion for Summary Judgment on Takings Claims; the respective declarations of Plaintiffs McConnell Dorce and Cecelia Jones; the Declaration of Alexander B. Simkin; Putative Round 10 Class's Local Rule 56.1 Statement of Material Facts; all exhibits, attachments, and appendices thereto; and any oral argument presented to the Court, the Putative

Round 10 Class, by and through their undersigned attorneys, hereby move the Court, before the Honorable Jennifer L. Rochon, United States District Judge, against Defendants City of New York (the “City”), Louise Carroll (former Commissioner of the City’s Department of Housing Preservation and Development), Sherif Soliman (former Commissioner of the City’s Department of Finance), and Neighborhood Restore Housing Development Fund Corp., pursuant to Rule 56 of the Federal Rules of Civil Procedure and the Local Rules of this Court<sup>1</sup> for an Order granting summary judgment on the Takings claims of the Amended Complaint, ECF No. 91, Counts I and VI in favor of the Putative Round 10 Class and such other and further relief as the Court deems just, proper, and equitable.

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<sup>1</sup> *See also* ECF No. 280 (granting Plaintiffs’ request to move for summary judgment on their Takings claims).

Dated: October 30, 2024

Respectfully submitted,

/s/ Matthew L. Berman

Matthew L. Berman  
Robert J. Valli, Jr.  
Yolande I. Nicholson, Esq., Of Counsel  
VALLI KANE & VAGNINI LLP  
600 Old Country Road  
Garden City, NY 11530  
(516) 203-7180  
mberman@vkvlawyers.com  
rvalli@vkvlawyers.com  
attorneynicholson@gmail.com

*Attorneys for Plaintiffs McConnell Dorce,  
Cecelia Jones, and Sherlivia Thomas-  
Murchison*

/s/ Keith H. Wofford

Keith H. Wofford  
WHITE & CASE LLP  
200 South Biscayne Blvd, Suite 4900  
Miami, FL 33131  
kwofford@whitecase.com

*Attorney for Plaintiffs McConnell Dorce and  
Sherlivia Thomas-Murchison*

/s/ Gregg L. Weiner

Gregg L. Weiner  
Alexander B. Simkin  
Leon Kotlyar  
Ethan M. Weinberg  
Mohammed S. Hassan  
Casey M. Berger (admitted *pro hac vice*)  
ROPES & GRAY LLP  
1211 Avenue of the Americas  
New York, NY 10036  
(212) 596-9000  
Gregg.Weiner@ropesgray.com  
Alexander.Simkin@ropesgray.com  
Leon.Kotlyar@ropesgray.com  
Ethan.Weinberg@ropesgray.com  
Mohammed.Hassan@ropesgray.com  
Casey.Berger@ropesgray.com

Daniel Yanofsky (admitted *pro hac vice*)  
ROPES & GRAY LLP  
Prudential Tower  
800 Boylston Street  
Boston, MA 02199  
(617) 951-7000  
Daniel.Yanofsky@ropesgray.com

*Attorneys for Plaintiffs McConnell Dorce and  
Sherlivia Thomas-Murchison*